

1 JAMES S. THOMSON, ESQ. - SBN 79658
Law Offices of JAMES S. THOMSON
2 819 Delaware Street
Berkeley, CA 94710
3 (510) 525-9123
james@ycbtal.net

4 JOHN T. PHILIPSBORN, ESQ. - SBN 83944
5 Law Offices of JOHN T. PHILIPSBORN
507 Polk Street, Suite 350
6 San Francisco, CA 94102
(415) 771-3801
7 jphilipsbo@aol.com

8 Attorneys for Defendant DENNIS CYRUS, JR.

9
10
11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,)

15 Plaintiff,)

16 vs.)

17 RAYMON HILL, et al.,)

18 Defendants.)

Case No. CR-05-00324-MMC

**MOTION TO SEAL UNREDACTED
VERSION OF PENALTY TRIAL
MOTION 8: MOTION PROHIBITING
THE GOVERNMENT FROM
SEEKING THE DEATH PENALTY
AGAINST MR. CYRUS AS PRIOR
DOJ ADMINISTRATION
IMPROPERLY DECIDED TO
PROSECUTE THIS CASE AS A
CAPITAL CASE**

AND OTHER THEREON

Dept: Hon. Maxine M. Chesney

22
23 TO: THIS HONORABLE COURT; AND TO UNITED STATES ATTORNEY'S

24 Dennis Cyrus, Jr., defendant in this action, moves this Court for an order sealing the
25 Unredacted Version of Penalty Trial Motion 8: Motion Prohibiting The Government from
26 Seeking the Death Penalty Against Mr. Cyrus as Prior DOJ Administration Improperly
27 Decided to Prosecute this Case as a Capital Case. The grounds for the motion are as
28 follows:

1 1. The content of the unredacted motion (names of attorneys) need not be
2 made a matter of public court record, and the declaration of counsel supporting this motion
3 provides ample factual basis for this Court to seal unredacted declaration.

4 2. This motion is based on this statement of the motion, and the supporting
5 declaration of counsel.

6 DATED: May 25, 2009

Respectfully submitted,

JAMES S. THOMSON
JOHN T. PHILIPSBORN

By /s/ James S. Thomson
Attorneys for Defendant
DENNIS CYRUS, JR.

13 _____
14
15
16
17
18
19
20
21
22 DATED: May 27, 2009

